

DEPARTMENT OF PLANNING
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: December 15, 2010

ZMAP 2008-0001 and SPEX 2008-0001

Schmitz Industrial Park

DECISION DEADLINE: February 7, 2011

ELECTION DISTRICT: Potomac

PROJECT PLANNER: Joe Gorney

DIRECTOR: Julie Pastor

EXECUTIVE SUMMARY

Albert G. Schmitz, Jr. of Great Falls, Virginia seeks approval to rezone approximately 7.9 acres from the R-1 (Single Family Residential) under the Revised 1993 Zoning Ordinance and PD-IP (Planned Development – Industrial Park) under the 1972 Zoning Ordinance to PD-IP (Planned Development – Industrial Park) under the Revised 1993 Zoning Ordinance in order to permit the development of all principal and accessory uses permitted in the PD-IP zoning district. The applicant has also submitted an application for a Special Exception to permit office, administrative, business, or professional uses (1 story); outdoor accessory storage up to 25 percent of the gross floor area; motor vehicle rental (outdoor storage only); and a parking lot/valet service, long-term in the proposed PD-IP zoning district.

The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Sterling Community)) and the Countywide Transportation Plan. The Revised General Plan identifies the site as suitable for Business uses, which may develop as either Regional Office or Light Industrial communities. The policies of the Bicycle and Pedestrian Mobility Master Plan also apply.

RECOMMENDATION

Staff supports approval of the ZMAP and SPEX applications to rezone the subject properties to PD-IP under the Revised 1993 Zoning Ordinance and permit general office use. Light industrial uses and associated office development are identified as appropriate land uses within the Suburban Policy Area (Business Community). However, based on the outstanding issues regarding outdoor storage and the provision of open space, staff recommends further discussion in a Planning Commission Worksession.

Staff cannot support the requested Special Exceptions for motor vehicle rental (outdoor vehicle storage only) and long-term parking lot/valet service uses. Such uses are not anticipated in areas designated as Business Communities. However, staff recognizes that similar uses occur in proximity to the subject properties. To mitigate the negative impacts of such activities,

staff has included conditions of approval regarding berms, fencing, screening, landscape design, and other compatibility measures.

Staff recommends denial of the Special Exception for outdoor accessory storage up to 25 percent of the gross floor area of the principal use. County policies support industrial uses in Business areas that are compatible with office, commercial, and residential uses by virtue of their size and lack of outdoor storage, manufacturing activities, or other activities or emissions that could have a detrimental impact on surrounding residential or business uses. Staff notes that by-right uses in the PD-IP district are allowed 10 percent accessory outdoor storage. An increase to 25 percent is problematic as no principal uses are defined.

SUGGESTED MOTIONS

1. I move that the Planning Commission forward ZMAP 2008-0001 and SPEX 2008-0001, Schmitz Industrial Park, to a worksession for further discussion.

OR,

- 2.a. I move that the Planning Commission forward ZMAP 2008-0001 and SPEX 2008-0001, Schmitz Industrial Park, for office, administrative, business, or professional uses (1 story); motor vehicle rental (outdoor storage only); and a parking lot/valet service, long-term to the Board of Supervisors with a recommendation of approval subject to the Proffer Statement dated November 18, 2010 and the Conditions of Approval dated December 1, 2010.

AND,

- 2.b. I move that I move that the Planning Commission forward SPEX 2008-0001, Schmitz Industrial Park, for outdoor accessory storage up to 25 percent of the gross floor area to the Board of Supervisors with a recommendation of denial based on the following Findings:

VICINITY MAP



Directions: From Leesburg, take Harry Byrd Highway (Route 7) east. Take Route 28 south and exit onto West Church Road (Route 625) east. Turn right (south) onto Davis Drive. Turn right (west) onto Shaw Road. Turn left (south) onto Cedar Green Road. After Cedar Green Road completes a curve to the west, the property entrance will be on the left (south) side of the road.

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I. APPLICATION INFORMATION

APPLICANT Albert G. Schmitz, Jr.
 PO Box 585
 Sterling, VA 20167
 703-450-2609

REPRESENTATIVE McCandlish & Lillard, PC
 Anne Reilly Jones, Esquire
 212 East Market Street
 Leesburg, VA 20176
 703-934-1136

REQUEST (1) Zoning Map Amendment to rezone approximately 7.9 acres from the R-1 (Single Family Residential) under the Revised 1993 Zoning Ordinance and PD-IP (Planned Development – Industrial Park) under the 1972 Zoning Ordinance to PD-IP (Planned Development – Industrial Park) under the Revised 1993 Zoning Ordinance, and (2) A Special Exception to permit office, administrative, business, or professional uses (1 story); outdoor accessory storage up to 25 percent of the gross floor area; motor vehicle rental (outdoor storage only); or a parking lot/valet service, long-term in the proposed PD-IP zoning district. The application was accepted on July 28, 2008.

LOCATION North of Sterling Boulevard (Route 846), south of Cedar Green Road (Route 775), east of Shaw Road (Route 636), and west of Davis Drive (Route 868) and the Washington & Old Dominion Railroad Regional Park.

TAX MAP/PARCEL #/ACREAGE/PROPERTY OWNERS

TAX MAP NUMBER	PIN #	ACRES	OWNERSHIP
/80/A/1////20/	044-10-7257	1.0	Albert G. Schmitz, Jr.
/80/A/1////40/	032-15-3041	4.6	Albert G. Schmitz, Jr.
/80/A/1////41A/	032-15-0581	1.0	Albert G. Schmitz, Jr.
/80/A/1////42/	044-10-9177	1.3	Albert G. Schmitz, Jr.
Total		7.9	

ZONING

(existing) R-1 (Single Family Residential) [Revised 1993 ZO] and
 PD-IP (Planned Development - Industrial Park) [1972 ZO]
 (proposed) PD-IP (Planned Development - Industrial Park) [Revised 1993 ZO]

SURROUNDING ZONING/LAND USES:

	ZONING	PRESENT LAND USES
NORTH	R-4	Single-Family Residential
SOUTH	PD-IP	Vacant
EAST	PD-IP	Vacant
WEST	PD-IP/R-4	Vacant

II. SUMMARY OF DISCUSSION

Topic	Issues Reviewed and Status
Comprehensive Plan	<ul style="list-style-type: none"> Consistency with the Comprehensive Plan for Business uses, either Regional Office or Light Industrial. Status: Unresolved. With the exception of office uses, the proposed motor vehicle rental (outdoor vehicle storage only) and long-term parking lot/valet service Special Exception uses are inconsistent with the Comprehensive Plan due to the presence of outdoor storage. Staff has included conditions of approval to mitigate their impacts.
Transportation	<ul style="list-style-type: none"> Consistency with CTP Roadway Network. Status: Resolved. The development would help facilitate the completion of the CTP roadway network in the area.
Zoning	<ul style="list-style-type: none"> Completion of Proffers. Status: Under Review. Zoning issues relate primarily to the proffers, which are being updated by the applicant.
Green Infrastructure	<ul style="list-style-type: none"> Treatment of Stormwater Runoff. Status: Unresolved. A condition has been proposed for SPEX uses to treat the first inch of runoff and integrate Low Impact Development measures, due to constrained downstream stormwater infrastructure. Applicant to review proposed condition.
Historic/ Archaeological Resources	<ul style="list-style-type: none"> Presence of On-Site Resources. Status: Resolved. The site has been previously disturbed through outdoor storage and contains no known historic or archaeological resources.
Emergency Services	<ul style="list-style-type: none"> Service by Fire & Rescue. Status: No Issues. The property would be served by the Sterling Volunteer Fire Department.
Proffer Statement	<ul style="list-style-type: none"> Review of Proffers by County Staff. Status: Under Review.
SPEX Conditions of Approval	<ul style="list-style-type: none"> Review of Conditions of Approval. Status: Unresolved. Applicant to review proposed conditions.

Policy or Ordinance Sections Subject to Application	
<u>Revised General Plan</u>	Chapter 5: The Green Infrastructure Chapter 6: Suburban Policy Area Chapter 7: Planned Land Use Map Chapter 11: Implementation Glossary: Open Space
<u>Bicycle and Pedestrian Mobility Master Plan</u>	Chapter 4: Recommended Policies and Guidelines
<u>Codified Ordinance</u>	Section 654.02 Unreasonable Noise
<u>Revised 1993 Zoning Ordinance</u>	Section 4-1400 AI - Airport Impact Overlay District Section 5-621 Public Utilities Section 5-1100 Parking requirements Section 5-1300 Tree Planting and Replacement Section 5-1400 Buffering and Screening Section 5-1504 Light and Glare Standards Section 5-1507 Noise Standards Section 6-1211 Rezoning Criteria for Consideration Section 6-1310 Special Exception Criteria for Consideration Section 6-1313 Period of Validity

III. CONCLUSIONS

Staff recommends approval of the ZMAP and SPEX applications to rezone the subject properties to PD-IP under the Revised 1993 Zoning Ordinance and permit general office use.

1. The proposed zoning map amendment and special exception for office uses are consistent with the Light Industrial policies of the Revised General Plan. Light industrial uses and associated office development are identified as appropriate land uses within the Suburban Policy Area (Business Community).
2. As conditioned, the application adequately addresses environmental impacts per County policies regarding forest and surface water resources.
3. The application adequately mitigates local road impacts, per the Countywide Transportation Plan.
4. As conditioned, the application adequately addresses lighting impacts in accordance with County Lighting and Night Sky policies.
5. The uses would have a positive economic impact on the County in accordance with County Economic Development policies.
6. The application fails to provide adequate internal open space, as called for in the Open Space policies for the Suburban Policy Area.

IV. CONDITIONS OF APPROVAL (SPEX) December 1, 2010

The proposed conditions of approval are still under review. County staff continues to work with the applicant regarding these conditions.

1. Substantial Conformance. Except as amended by these conditions, the approved

Special Exception Uses, office, administrative, business, or professional uses (1 story); motor vehicle rental (outdoor storage only); or a parking lot/valet service, long-term, shall be developed in substantial conformance with the Special Exception Plat, consisting of four (4) sheets numbered as 1, 3, 4, and 7 of the plan set entitled "Schmitz Property" and dated May 15, 2008, as revised through November 30, 2010, and prepared by Patton Harris Rust and Associates (the "SPEX Plat"). Approval of this application for Tax Map #s /80/A/1////40/ (PIN 032-15-3041), /80/A/1////20/ (PIN 044-10-7257), /80/A/1////41A/ (PIN 032-15-0581), /80/A/1////42/ (PIN 044-10-9177) (collectively the "Property") shall not relieve the Applicant or the owners of the Property from the obligation to comply with and conform to any Zoning Ordinance, Codified Ordinance, or applicable requirement. As used in these conditions, "Applicant" includes the owner of the Property subject to this Special Exception approval, its successors, and parties developing, establishing, or operating the approved Special Exception Use.

2. Tree Save Areas. The applicant shall prepare a Tree Conservation Plan to be submitted at the time of site plan approval. The applicant shall protect trees during construction through adherence to Sections 7.302 and 7.303 of the Facilities Standards Manual. The Tree Conservation Plan shall specify measures to manage Tree Save Areas to ensure their continued health, viability, and utility.
3. Landscape Design. Type 3 buffers will be installed for all external property buffers for all uses. Section 5-1400 of the Revised 1993 Zoning Ordinance will govern parking design, to include requirements for landscape islands. The provisions of Section 5-1413(B)(1) through 5-1413(B)(5) shall apply to all Interior Parking Lot Landscaping. Plants shall be indigenous to the Piedmont area of Northern Virginia. Half of the Type 3 buffer tree and shrub requirements shall be met through the use of evergreens.
4. Lighting. Site lighting shall conform to Section 5-1500 of the Revised 1993 Loudoun County Zoning Ordinance and Sections 7.110 and 7.120 of the Facilities Standards Manual. The following standards shall also apply:
 - a. Light Fixtures. Fixtures shall be full cutoff and fully shielded and shall direct light downward and into the interior of the property and away from surrounding public roads and properties. Said lighting shall not exceed a maximum average illumination of two (2) foot-candles at ground level during non-business hours unless otherwise required by law, ordinance, or regulation.
 - b. Height of Light Fixtures. The mounting height of any light fixture shall not exceed 20 feet. Height shall be measured from the ground to the bottom of the light fixture.
5. Stormwater Treatment. The Applicant shall (a) incorporate best management practice (BMP) treatment for all storm runoff leaving impervious surfaces and (b) design all BMPs to treat the first inch of storm runoff.

V. PROJECT REVIEW

A. CONTEXT

The applicant proposes a Zoning Map Amendment to rezone approximately 7.9 acres from the R-1 (Single Family Residential) Zoning District under the Revised 1993 Zoning Ordinance and PD-IP (Planned Development – Industrial Park) Zoning District under the 1972 Zoning Ordinance to the PD-IP (Planned Development – Industrial Park) Zoning District under the Revised 1993 Zoning Ordinance, and a Special Exception to permit four uses: office, administrative, business, or professional uses (1 story); outdoor accessory storage up to 25

percent of the gross floor area; motor vehicle rental (outdoor storage only); and a parking lot/valet service, long-term in the proposed PD-IP zoning district. The applicant intends to reconfigure the property from four (4) lots to three (3) lots.

The property is within the Route 28 Highway Improvement Transportation District and located north of Sterling Boulevard (Route 846), south of Cedar Green Road (Route 775), east of Shaw Road (Route 636), and west of Davis Drive (Route 868). The property is currently vacant. It was used previously for outdoor storage. These uses have been removed. The property features some tree resources around its perimeter.

Three of the lots (Lots 20, 41A, and 42) are governed by a previous zoning map amendment (ZMAP 1988-0023: Sterling Center). ZMAP 1988-0023 was approved on March 22, 1988 and rezoned the applicable lots to PD-IP and allowed a reduction in the required building and parking setbacks to an adjoining residentially-zoned property. The current proposal would supersede ZMAP 1988-0023.

Surrounding properties to the east, south, and west are vacant. All but one of these surrounding properties is zoned PD-IP. The Property to the northwest is zoned R-4. Residential uses are located on the north side of Cedar Green Road. Four of these residential lots are zoned R-4 and one of the lots is zoned PD-IP.

ZMAP 1986-0046 (Sterling Business Park Center), approved July 18, 1988, governs adjacent property to the east and south. It proffers the eastern half of Glenn Drive from its current terminus at the southeast corner of the Schmitz property northward to Cedar Green Road. Roadway alignments associated with the Schmitz proposal are consistent with ZMAP 1986-0046.

B. SUMMARY OF OUTSTANDING ISSUES

1. Land Use – Motor vehicle rental (outdoor vehicle storage only) and long-term parking lot/valet service uses are not supported by County policies due to their outdoor storage requirements. However, staff has included conditions of approval to mitigate their impacts. Staff recommends denial of the Special Exception for outdoor accessory storage up to 25 percent of the gross floor area of the principal use, as no principal use is defined.
2. Open Space – Rather than provide the recommended 10 percent open space on-site, the applicant intends to contribute moneys for open space in Sterling. Additionally, the applicant has indicated an intent to create open spaces within the development for employee use, such as shaded seating areas. However, Note Sheet 27 of the application materials states that no communal open space or common areas are to be provided within the development. Staff continues to work with the applicant to finalize open space details.
3. Conditions of Approval, Concept Development Plan, & Special Exception Materials - Staff and the applicant continue to coordinate regarding conditions of approval and finalize application materials.
4. Minor Issues – Provision of bike racks and clarification of a Fire & Rescue contribution.

C. OVERALL ANALYSIS

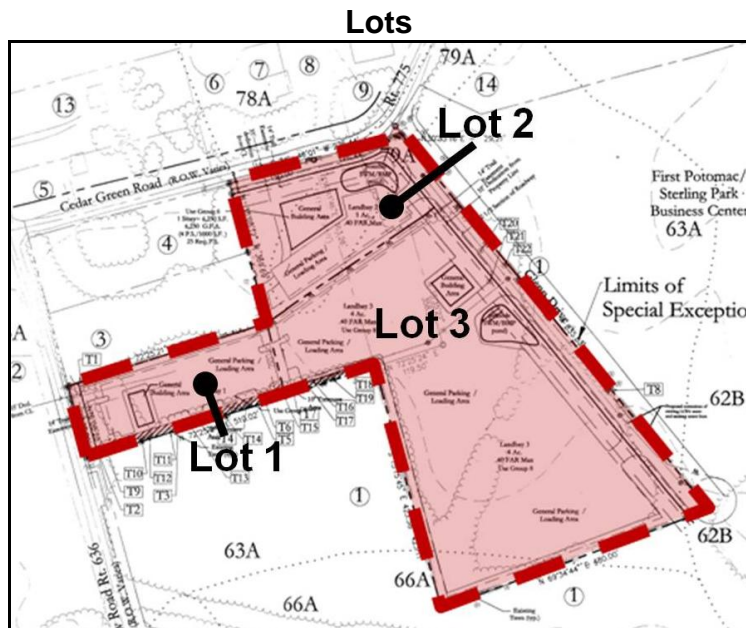
COMPREHENSIVE PLAN

Land Use

The property is located in the Sterling Community of the Suburban Policy Area and is designated for Business uses. Business areas may develop as either Regional Office or Light Industrial communities. The applicant is proposing a Light Industrial project. County policies state that light industrial uses should be compatible with office, commercial, and residential development by virtue of their size and lack of outdoor storage or manufacturing activities, and other activities or emissions that could have a detrimental impact on surrounding residential or business uses. The property is located within the Route 28 Highway Improvement Transportation District (Route 28 Tax District). The County encourages landowners in the Route 28 Tax District to opt into the revised zoning ordinance.

Three of the four parcels are zoned PD-IP and governed under the 1972 Zoning Ordinance. A fourth parcel is zoned R-1 and governed under the Revised 1993 Zoning Ordinance. The applicant seeks to rezone the entire property to PD-IP governed under the Revised 1993 Zoning Ordinance. The rezoning of the property to PD-IP governed under the provisions of the Revised 1993 Zoning Ordinance is consistent with County land use policies.

The applicant is also seeking Special Exception approval to permit office, administrative, business, or professional uses (1 story); outdoor accessory storage up to 25 percent of the gross floor area; motor vehicle rental (outdoor storage only); and a parking lot/valet service, long-term in the proposed PD-IP zoning district. The applicant proposes new lot lines and the subdivision of the property into three lots to accommodate the requested Special Exception uses. Lot 1 would front Shaw Road, Lot 2 would front Cedar Green Road and Glenn Drive, and Lot 3 would front Glenn Drive. The applicant is requesting only the office Special Exception use on Lot 2, which is proximate to the residential lots on the north side of Cedar Green Road. Lots 1 and 3 would allow all four of the requested Special Exception uses. The applicant states that the proposed Special Exception uses are being requested to provide flexibility in light of the current economic market and that the requested uses will assist the area in transitioning to a Business Community. To mitigate any perceived adverse impacts from outdoor storage, the applicant has agreed to orient buildings along roadways, place the majority of the parking toward the rear of the lots, and increase buffer standards, per the Concept Development Plan, Plat, and Conditions of Approval.



While motor vehicle rental (outdoor vehicle storage only) and long-term parking lot/valet service uses are not anticipated in Business Communities, staff recognizes that similar uses occur in the development area. Allowing such uses would afford the applicant flexibility in marketing the properties as the area transitions to a Business Community, as discussed in the applicant's Statement of Justification. Staff could support approval of these two Special Exception uses if the extent of each use, setbacks, and mitigation measures were sufficient to mitigate the project impacts and ensure compatibility with the surrounding uses. Additional commitments beyond the Zoning Ordinance requirements might be needed to mitigate the impacts of the proposed uses, to include berms, fencing, screening, and landscape design (see suggested Condition #3).

Staff questions an allowance for outdoor storage up to 25 percent of the gross floor area of the principal use when principal uses have not yet been defined. Additionally, staff notes that by-right uses within the PD-IP District already allow 10 percent of the principal use as outdoor storage.

Open Space

County policies call for Business Communities to provide a minimum of 10 percent of a property as open space. As defined in the Revised General Plan, open space is "[a]ny parcel or area of land or water essentially unimproved and designated for public or private use or enjoyment or for the use and enjoyment of owners, occupants, and their guests of land adjoining or neighboring such open space." The Revised General Plan categorizes open spaces into the following three types: Active Recreation, Natural, and Passive Recreation. Active Recreation Open Spaces are areas dedicated to leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed sites or fields. Examples include ballfields, tennis or basketball courts, swimming pools, tot lots, golf courses, dog parks, and other areas for recreational sports and games. Natural Open Spaces are lands left in a mostly undeveloped state. Examples include forests, meadows, hedgerows, and wetlands. Passive Recreation Open Spaces are areas for activities

that involve less energetic activities such as walking, sitting, or picnicking. Examples include trails (hiking, biking, walking, or equestrian) or picnic areas.

County Land Use Pattern and Design policies state that, for properties up to 50 acres outside of Keynote Employment designations, the land use mix attributable to the various land uses may not be achievable due to the small size of the parcel. In such cases, the applicant may vary from the recommended land use mix by demonstrating that an alternative is more appropriate for the specific site.

The applicant proposes a combination of features to meet the open space needs of the property. These include a 15-foot Tree Save Easement around portions of the property's perimeter, landscaping between land bays, and landscaping along Glenn Drive. The applicant also intends to contribute moneys for open space in Sterling. Additionally, the applicant has indicated the intent to create open spaces within the development for employee use, such as shaded outside seating areas. However, Sheet 1 of the application materials states that no communal open space or common areas are to be provided with the development. Staff continues to work with the applicant to finalize open space details.

Site Design

County policies call for new development to achieve and sustain a built environment of high quality. Design concerns germane to the application include parking, screening, buffering, and lighting.

Parking, Screening, and Buffering

County policies call for parking to be located to the rear of buildings and visually screened from adjacent streets. Landscaped dividers should be provided to break up large parking areas. Parking should not exceed the requirements of the Zoning Ordinance and shared parking should be considered.

Staff previously requested increased buffering requirements for areas where parking or outdoor storage would be visible from roadways and residential properties to ensure the property met the intent of County policies regarding the built environment.

To address visual impacts associated with the proposed uses, staff recommends additional screening and mitigation measures, both within parking areas, and along all external boundaries. All parking should be visually screened from the streets.

The applicant designed the property so that Lot 2 features a general building area and possible stormwater management pond along Cedar Green Road. Lot 1 (along Shaw Road) features limited parking in front of a general building area with the majority of parking behind the building. Lot 3 (along Glenn Drive) features a general building area and possible stormwater management pond along Glenn Drive along with a larger area designated as a general parking and loading area. The applicant notes the need for flexibility at this stage of development, given that the ultimate uses of the land bays are not yet defined.

The applicant has indicated the intent to incorporate various elements to screen the uses and meet the intent of Built Environment policies. These include a 15-foot Tree Save Easement

around portions of the property's perimeter, landscaping between land bays, and landscaping along Glenn Drive. Type 3 buffers will be used rather than the normally required Type 2 buffers, with increased requirements for shrubs. Staff notes that Section 5-1400 of the Revised 1993 Zoning Ordinance would govern parking design, to include requirements for internal parking lot landscape islands. Staff also recommends that the applicant incorporate native plants indigenous to the Piedmont area for their habitat values and that the number of evergreens be increased within external buffers (see suggested Condition #3). Staff continues to work with the applicant to finalize screening and buffering measures.

Lighting

County policies promote the use of lighting for safety and visibility without the nuisance associated with light pollution.

The Concept Plan states that lighting will meet the requirements of the Facilities Standards Manual and the Revised 1993 Zoning Ordinance. Additionally, all lighting is to be directed downward into the site. Staff recommends a Condition of Approval to preclude light trespass onto adjoining properties, glare to passersby, skyglow, and deterioration of the nighttime environment (see suggested Condition #4).

TRANSPORTATION

The proposed uses are estimated to generate approximately 1,462 daily vehicle trips. The project would feature frontage along Shaw Road (Route 636), Cedar Green Road (Route 775)/Moran Road extended (Route 634), and a northerly extension of Glenn Drive (Route 864). Lot access would be provided only from Shaw Road and Glenn Drive. Construction of these roads to serve the proposed uses would help complete the Countywide Transportation Plan roadway network in the area and is expected to improve connectivity in the area.

CTP Roads



Glenn Drive (Route 864)

Glenn Drive is planned as an urban four-lane undivided road with curb and gutter. The Countywide Transportation Plan depicts a northerly extension of Glenn Drive aligned with the existing north-south section of Cedar Green Road and forming a new four-way intersection at a 90-degree angle with the east-west segment of Cedar Green Road (Moran Road extended). Glenn Drive currently terminates in a cul-de-sac bulb at the southeast corner of the Schmitz property.

A meeting was held with County staff, Schmitz representatives, and a representative of the adjacent First Potomac project on November 2, 2010 regarding a northern extension of Glenn Drive. Subsequent communications were held between the Schmitz and First Potomac representatives. The proposed Glenn Drive alignment is consistent with the Countywide Transportation Plan and the previously approved ZMAP 1986-0046 (Sterling Business Park Center). First Potomac is in agreement with the proposed alignment of Glenn Drive to its terminus at Cedar Green Road and is aware that the Schmitz applicant is willing to construct the western half of Glenn Drive and that a portion of the alignment will be on land currently owned by First Potomac. Future discussions will also be necessary with the owner of the Cherok property, which lies to the north of the First Potomac property, to complete the intersection and Glenn Drive extension.

With the exception of the northernmost portion of Glenn Drive as it connects with the existing Cedar Green Road, Glenn Drive would be constructed on its final alignment. The applicant will also construct a 10-foot trail on the western side of Glenn Drive, per the Concept Development Plan.

Cedar Green Road (Route 775)/Moran Road (Route 634)

The east-west portion of Cedar Green Road/Moran Road is planned as an urban four-lane undivided road with curb and gutter. Moran Road will ultimately continue east to Davis Drive (Route 868). Cedar Green currently contains two lanes.

The applicant has agreed to dedicate right-of-way for Moran Road and construct or bond for construction the southern portion of the road adjacent to the property, as stated in Proffer #IV.A.3. Staff has requested that the road not be built until all of the right-of-way for the Moran Road/Glenn Drive intersection is acquired, to avoid unnecessary demolition and reconstruction of the roads in the project area.

Shaw Road (Route 636)

Shaw Road is planned as an urban four-lane undivided road with curb and gutter. The southern portion of Shaw Road contains four lanes and narrows to two lanes as it reaches the Schmitz property.

The applicant has agreed to build an additional two lanes of Shaw Road across the Schmitz property frontage and a 6-foot sidewalk in the Shaw Road right-of-way, as stated in Proffer #IV.A.2 and shown on the Concept Development Plan.

Bicycle and Pedestrian Facilities

Shaw Road, Cedar Green/Moran Road, and Glenn Drive are designated as baseline connecting roadways in the Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) and the Countywide Transportation Plan. These roadways were selected to provide comprehensive connectivity throughout the County and to serve the needs of both cyclists and pedestrians. The Bike/Ped Plan also calls for appropriate bicycle parking at places of employment.

In addition to bicycle and pedestrian facilities constructed in conjunction with each roadway, staff recommended internal pedestrian connections from parking areas to buildings.

The applicant has indicated that a bicycle rack would be provided for each building. Staff recommends that a commitment to bicycle racks and internal pedestrian pathways be incorporated into the proffers.

ENVIRONMENTAL

Tree Protection and Restoration

Trees improve air and water quality, offer wildlife habitat, buffer communities, conserve energy, reduce wind speed, reduce stormwater runoff and soil erosion, and can increase property values. Additionally, a tree conservation plan will be required that demonstrates a management strategy for tree save areas.

Staff recommended that the applicant designate Tree Conservation Areas at a width sufficient to protect existing vegetation's critical root zones and that Virginia Pine, invasive species, and vines be removed from these areas.

In response, the applicant has designated a 15-foot wide tree save easement along the property's southern boundaries, as shown on the Concept Development Plan. The applicant has not demonstrated a management strategy for these areas. Staff recommends that the applicant prepare a Tree Conservation Plan and protect trees during construction through adherence to Sections 7.302 and 7.303 of the Facilities Standards Manual. Staff recommends continued management of Tree Save Areas to ensure their continued health, viability, and utility (see suggested Condition #2).

Wetlands

County policies call for the protection of surface waters, to include streams and wetlands, and site designs that preserve natural features and minimize the creation of new impervious surfaces. County Geographic Information Systems records indicate a drainageway on the site.

The application included a Wetland and Stream Identification, which determined that no regulated waters were present on the subject property. The applicant proposes that confirmation from the US Army Corps of Engineers would be provided prior to site plan approval, as required by the Facilities Standards Manual.

Stormwater Management/Water Quality

The project's proposed impervious surfaces, including parking lots and rooftops, are anticipated sources of runoff and pollutants, such as litter, road salts, oil, grease, and heavy

metals, which impact water quality. Increased storm runoff volumes and velocities are also expected, which could scour adjacent drainageways and impact adjacent properties.

To protect water resources and the integrity of neighboring properties, County policies call for low impact development (LID) techniques, which integrate hydrologically functional designs with methods for preventing pollution. LID techniques include permeable pavers, porous concrete, cisterns, planted swales, curb cuts, rain gardens, and bioretention filters adjacent to impervious areas, to promote infiltration on-site, minimize peak storm flows, and help filter non-point source pollutants.

The applicant depicts two possible stormwater management ponds on the Concept Development Plan to treat the project area. Largely due to the anticipated impervious cover associated with the proposed uses and constrained downstream stormwater infrastructure, staff recommended that the applicant incorporate Best Management Practices that treat the first inch of runoff. The applicant responded that they will provide the level of stormwater management required by the Facilities Standards Manual. The application does not specify LID techniques.

ZONING

In response to Zoning staff comments, the applicant has revised the draft proffers and application materials. Staff is currently reviewing the most recent version of the proffers and applications materials.

HISTORIC AND ARCHAEOLOGICAL RESOURCES

Largely due to past site disturbance, the site does not contain any know historic or archaeological resources.

HEALTH

The Health Department recommends approval of the application.

PARKS AND RECREATION

Staff requested that the applicant consider the inclusion of athletic fields. In response the applicant has offered to make a one-time contribution to the Department of Parks, Recreation, and Community Services at the time of site plan approval in lieu of providing on-site open space.

EMERGENCY SERVICES

The Board policy supports fire and rescue contributions of \$0.05 per square foot of proposed gross building area with an escalation adjustment and a base year of 1988. The applicant proposes a one-time Capital Facilities Improvement contribution of \$0.10 per square foot of each commercial/non-residential structure and a base year of 2011 for use by fire and rescue companies primarily serving the property at the issuance of each applicable zoning permit (see Proffers V. and VI). Staff prefers the contribution be stated consistent with the adopted policy. Staff will update the Planning Commission regarding the total monetary difference between the two contributions.

UTILITIES

The development would be served by public water and sanitary sewer service. There are no outstanding utilities issues.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

Zoning Map Amendment

Section 6-1211(E) of the Revised 1993 Zoning Ordinance states, "If the application is for a reclassification of property to a different zoning district classification on the Zoning Map, the applicant shall address all the following in its statement of justification or plat unless not applicable. The Planning Commission shall give reasonable consideration to the following matters:"

(1) Whether the proposed zoning district classification is consistent with the Comprehensive Plan.

The proposed rezoning of the property to the PD-IP zoning district governed under the provisions of the Revised 1993 Zoning Ordinance is consistent with Plan policies, which anticipate the development of Business uses in the area, through either Regional Office or Light Industrial communities.

(2) Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.

Surrounding properties are developing with office and light industrial uses, making the proposed rezoning consistent with these developments.

(3) Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.

Surrounding properties are developing with office and light industrial uses, making the proposed rezoning consistent with these developments.

(4) Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.

Water, sewer, natural gas, electricity, and other utilities are available to the site.

(5) The effect of the proposed rezoning on the County's ground water supply.

The property will be served by public water and sanitary sewer, and as such, no ground water impacts are anticipated from water or sewage disposal.

(6) The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.

Evaluation of such measures will be completed at the time of administrative site plan review for each respective building and/or zoning permit request.

(7) The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and

whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.

The road network would be expanded to serve local and construction traffic.

(8) Whether a reasonably viable economic use of the subject property exists under the current zoning.

A reasonably viable economic use of the property could be achieved for three of the four lots, which are zoned PD-IP under the provisions of the 1972 Zoning Ordinance. However, the largest parcel is zoned R-1, a residential designation, and is almost completely surrounded by parcels zoned PD-IP, calling into question the viability of residential uses on the site.

(9) The effect of the proposed rezoning on the environment or natural features, wildlife habitat, vegetation, water quality, and air quality.

The project will impact some remnant forest cover and has the potential to impact water quality.

(10) Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.

The proposed rezoning would allow the development of a commercial uses and have positive economic impacts on the County.

(11) Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth.

The proposed rezoning considers the needs of industry and business, as it would allow uses related to the neighboring properties and the Dulles International Airport.

(12) Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.

The proposed rezoning considers the current and future development needs of the County for light industrial uses.

(13) Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.

The proposed rezoning is consistent with the surrounding properties and with the Comprehensive Plan.

(14) Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the County and the capacity of existing and/or planned public facilities and infrastructure.

The application considers the employment needs of the County. The development would be served by the extension of public water and sanitary sewer and would help complete the road network in the vicinity.

(15) The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.

This rezoning does not propose residential uses.

(16) The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.

The rezoning would impact some remnant areas of forest resources.

Special Exception

Section 6-1310 of the Revised 1993 Zoning Ordinance states "In considering a special exception application, the following factors shall be given reasonable consideration ... The applicant shall address all the following in its statement of justification or special exception plat unless not applicable, in addition to any other standards imposed by this Ordinance:"

Standard A Whether the proposed special exception is consistent with the Comprehensive Plan.

Analysis With the exception of the office uses, the proposed Special Exception uses are not consistent with the Comprehensive Plan, due to their outdoor storage requirements.

Standard B Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

Analysis The property will be served by the Sterling Volunteer Fire Department.

Standard C Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

Analysis The uses would comply with noise maximums specified in the zoning ordinance.

Standard D Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.

Analysis The uses would comply with lighting standards specified in the zoning ordinance. Conditions of approval would refine these standards.

Standard E Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.

Analysis The proposed uses would be compatible with the surrounding uses. Lot 2, which is adjacent to residential uses, would be restricted to office uses, through a special exception, and by-right uses. The remaining two lots are adjacent to planned light industrial and office uses.

Standard F Whether sufficient existing or proposed landscaping, screening, and buffering on the site and in the neighborhood [will] adequately screen surrounding uses.

Analysis Type 3 buffers would be used along with an increased number of evergreens for greater screening.

Standard G Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological, or historic feature of significant importance.

Analysis The development would preserve some remnant trees in a Tree Save Easement.

Standard H Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.

Analysis Adherence to staff-recommended conditions of approval would help minimize impacts to local water quality.

Standard I Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

Analysis The proposed use will promote the welfare and convenience of the public by completing a portion of the road network and providing employment opportunities.

Standard J Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections, and other transportation services.

Analysis The proposed road network would accommodate vehicular and non-motorized travel.

Standard K Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.

Analysis The property is currently vacant.

Standard L Whether the proposed special exception will be served adequately by essential public facilities and services.

Analysis The proposed use will be served by public water and sanitary sewer.

Standard M The effect of the proposed special exception on groundwater supply.

Analysis The property will be served by public water and sanitary sewer, and as such, no ground water impacts are anticipated from water or sewage disposal.

Standard N Whether the proposed use will affect the structural capacity of the soils.

Analysis Evaluation of such measures will be completed at the time of administrative site plan review for each respective building and/or zoning permit request.

Standard O Whether the proposed use will negatively impact orderly and safe road development and transportation.

Analysis The applicant would develop portions of Cedar Green Road, Shaw Road, and Glenn Drive, increasing connectivity in the area.

Standard P Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

Analysis The proposed rezoning would allow the development of commercial uses and have positive economic impacts on the County.

Standard Q Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.

Analysis The proposed rezoning considers the needs of industry and business, as it would allow uses related to the neighboring properties and the Dulles International Airport.

Standard R Whether adequate on and off-site infrastructure is available.

Analysis The property would be served by public water and sanitary sewer. The roadway network would be expanded to serve the property commensurate with the CTP.

Standard S Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.

Analysis Odors are not anticipated to extend beyond the property boundaries.

Standard T Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.

Analysis The road network would be expanded to serve local and construction traffic.

VI. ATTACHMENTS

Attachment <i>(Attachments are available electronically on the County website or may be viewed at the Planning Department Front Counter or in Building & Development).</i>	Page Number
1. Review Agency Comments	
a. Planning Department, Community Planning (10-08-10)	A-1
b. Building and Development, Zoning Administration (10-07-10)	A-9
c. Building and Development, ERT (10-07-10)	A-13
d. Office of Transportation Services (OTS) (10-05-10)	A-15
e. Virginia Department of Transportation (10-18-10)	A-21
f. Fire, Rescue, & Emergency Management (10-18-10)	A-23
g. Loudoun Water (formerly LCSA) (09-02-09)	A-25
h. Loudoun County Health Department (09-16-10)	A-27
i. Parks, Recreation, and Community Services (PRCS) (08-17-09)	A-29
j. Building and Development, Zoning Inspection (11-16-10)	A-31
2. Disclosure of Real Parties in Interest (11-23-10)	A-33
3. Applicant's Statement of Justification (11-18-10)	A-45
4. Applicant's Response to Referral Comments (11-19-10)	A-57
5. Applicant's Proffer Statement (11-18-10)	A-67
6. Rezoning Plat/SPEX Plat/Concept Plan & Illustrative Exhibit (05-15-08 revised through 11-30-10)	Attached